

ESTTA Tracking number: **ESTTA62971**

Filing date: **01/20/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Federation Des Industries de la Parfumerie
Granted to Date of previous extension	03/01/2006
Address	33 Avenue des Champs-Elysees Paris, 75008 FRANCE
Attorney information	Julie B. Seyler Abelman Frayne & Schwab 666 Third Avenue New York, NY 10017 UNITED STATES jbseyler@lawabel.com Phone:212-949-9022

Applicant Information

Application No	76628453	Publication date	11/01/2005
Opposition Filing Date	01/20/2006	Opposition Period Ends	03/01/2006
Applicant	Ebel International Limited Argyle House, 41 Cedar Avenue Hamilton, HM12, BERMUDA		

Goods/Services Affected by Opposition

Class 003.

All goods and services in the class are opposed, namely: COSMETICS, NAMELY, ASTRINGENTS AND TONERS FOR COSMETIC PURPOSES, BEAUTY MASKS FOR THE FACE AND BODY, BEAUTY SCRUBS FOR THE FACE AND BODY, BLUSHER, COSMETIC PENCILS FOR THE FACE, EYES AND LIPS, CONCEALERS, FOUNDATION, FACE POWDER, EYE LINERS, EYE SHADOW, MASCARA, LIPSTICK, LIP GLOSS, LIP MOISTURIZER AND BASE LIPSTICK; PREPARATIONS FOR INFANTS' AND CHILDREN'S SKIN AND BODY CARE, NAMELY, BABY LOTIONS, SHAMPOOS, SOAPS, SUN LOTION, SUNSCREEN, POWDERS AND OILS; PREPARATIONS FOR PERSONAL HYGIENE AND BEAUTY CARE, NAMELY, HAND, FOOT AND BODY LOTIONS AND CREAMS, SOAPS FOR THE FACE AND BODY, BATH AND SHOWER GELS, BATH SALTS, BATH POWDERS, TALCUM POWDERS, BATH OILS, DEODORANTS AND SHAVING GELS AND CREAMS; NAIL CARE PRODUCTS FOR THE HANDS AND FEET, NAMELY, NAIL ENAMEL, NAIL ENAMEL REMOVER, CUTICLE REMOVING PREPARATIONS, NAIL ENAMEL BASE COAT, NAIL ENAMEL TOP COAT; FRAGRANCES FOR MEN AND WOMEN, NAMELY, EAU-DE-COLOGNE, PERFUME, EAU-DE-TOILETTE, SCENTED AND UNSCENTED MASSAGE OIL, BODY OILS AND ESSENTIAL OILS FOR PERSONAL USE; AND HAIR CARE PRODUCTS, NAMELY, SHAMPOO, CONDITIONER, HAIR MOUSSES AND GELS, HAIR SPRAY

Attachments	L'BEL PARIS OPPOSITION.pdf (3 pages)
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Signature	/Julie B. Seyler/
Name	Julie B. Seyler
Date	01/20/2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Application No. 76/628453

Published November 1, 2005

Federation des Industries de la Parfumerie,

Opposer,

v.

Ebel International Limited.

Applicant.

Opposition No.

NOTICE OF OPPOSITION

Federation des Industries de la Parfumerie, an association organized and existing under the law of France, with an office at 33 Avenue des Champs-Elysees, Paris, France 75008 believes that it will be damaged by registration of the mark shown in Application Serial No. 76/628453 and hereby opposes the same.

As grounds for opposition, it is alleged that:

GEOGRAPHIC DECEPTIVENESS AND MISDESCRIPTIVENESS

1. Applicant is seeking to register the mark L'BEL PARIS for cosmetics, namely, astringents and toners for cosmetic purposes, beauty masks for the face and body, beauty scrubs for the face and body, blusher, cosmetic pencils for the face, eyes and lips, concealers, foundation, face powder, eye liners, eye shadow, mascara, lipstick, lip gloss, lip moisturizer and base lipstick; preparations for infants' and children's skin and body care, namely, baby lotions, shampoos, soaps, sun lotion, sunscreen, powders and oils; preparations for personal hygiene and beauty care, namely, hand, foot and body lotions and creams, soaps for the face and body, bath

and shower gels, bath salts, bath powders, talcum powders, bath oils, deodorants and shaving gels and creams; nail care products for the hands and feet, namely, nail enamel, nail enamel remover, cuticle removing preparations, nail enamel base coat, nail enamel top coat; fragrances for men and women, namely, eau-de-cologne, perfume, eau-de-toilette, scented and unscented massage oil, body oils and essential oils for personal use; and hair care products, namely, shampoo, conditioner, hair mousses and gels, hair spray

2. Opposer is a French association of cosmetics and perfume manufacturers.

3. Opposer's business activities include protecting the use and registration of the geographic designations of the countries and cities of France, including its capital Paris, to insure that said geographic indicator is used only in connection with cosmetics and perfumes that are manufactured and produced in France.

4. Paris, France is renowned as a source and inspiration for fashion, cosmetics and perfumes.

5. Due to the renown, importance and geographical significance of Paris, France to denote fashion, cosmetics, and perfume, PARIS should be used and registered solely in connection with goods that emanate from, and/or manufactured in France.

6. Upon information and belief, the use of the geographic descriptor PARIS signifies to consumers who purchase cosmetics, perfumes and colognes that the goods come from Paris, France.

7. Upon information and belief, Applicant Ebel International Limited is a corporation incorporated and located in Bermuda.

8. On information and belief, Applicant's goods are not and/or will not be manufactured in Paris, France.

9. As a result thereof, Applicant's mark consists of or comprises deceptive matter and the registration of the mark L'BEL PARIS on the Principal Register constitutes a violation of 15 U.S.C. 1052(a).


10. As a result thereof, Applicant's mark is geographically deceptively misdescriptive and the registration of the mark L'BEL PARIS on the Principal Register constitutes a violation of 15 U.S.C. 1052(e)(3).

11. The registration of Applicant's mark will clothe Applicant with the authority to improperly use the word PARIS, all to the detriment of Opposer.

WHEREFORE, Opposer believes that it will be damaged by the registration of Application Serial No. 76/628453 and respectfully requests that registration be refused and this opposition be sustained.

Respectfully submitted,

Date: January 20, 2006


JULIE B. SEYLER
Applicant for Opposer

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